

## INFORMATION DISCLOSURE STATEMENT

FORM PTO 1449 (modified)

ATTY DOCKET NO.  
99\_1175SERIAL NO.  
09/422,803U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)

Date Submitted to PTO: December 8, 2005

APPLICANT  
Edwin SOUTHERNFILING DATE  
October 22, 1999GROUP  
1631

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4,216,245	8/1980	Johnson	427	2	
	AB	4,386,488	7/1983	Wilson et al.	485	6	
	AC	4,563,410	1/1986	Ranki et al.	485	6	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AD	0 295 720	9/1987	EP			
	AE	0 171 150	2/1986	EP			
	AF	83/01031	3/1985	WO			
	AG	0 268 237	3/1986	EP			
	AH						

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AI	Declaration from Radomir Crkvenjakov (with four exhibits), September 1996.
JSB	AJ	Declaration from Ivan Labat, September 1996.
JSB	AK	Statement from the Institute of Molecular Genetics and Genetic Engineering (IMGGE) in Belgrade, September 1996.
JSB	AL	Statement by Professor Roger Ekins (with an abstract of a lecture given by him on 4/11/88 at a symposium, and a post-published paper corresponding to said lecture), December 1996.
JSB	AM	Statutory Declaration of Dr. Nicholas Vaughan Ashely (with Exhibit NVA1), May 1995.
JSB	AN	Statutory Declaration of Dr. William Bains (with Exhibits WB1, WB2 and WB3), May 1995.

EXAMINER

/John S. Brusca/

DATE CONSIDERED

10/22/2006

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Sheet 2 of 13		INFORMATION DISCLOSURE STATEMENT					
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				APPLICANT Edwin SOUTHERN			
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U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BA	4,704,353	11/1987	Humphries et al.	435	4	
	BB	4,327,073	4/1982	Huang	424	1	
	BC	4,728,502	3/1988	Hamill	422	110	
	BD	5,002,007	3/1991	Macevitz	435	6	
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	BE	86/01302	2/1986	WO			
	BF	86/03782	7/1986	WO			
	BG	0 236 332	9/1987	EP			
	BH	2 160 074	10/1985	GB			
	BI	0 297 002	9/1987	EP			
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
JSB	BJ	Declaration of Professor Lubert Stryer, January 1997.					
JSB	BK	Statutory Declaration of Dr. William Bains, January 1997.					
JSB	BL	Statutory Declaration of Dr. Nicholas Vaughan Ashley, January 1997.					
JSB	BM	Declaration of Edwin Mellor Southern (with Exhibits EMS1 and EMS2), January 1998.					
JSB	BN	Declaration of Dr. Thomas Gingeras, January 1999.					
JSB	BO	Declaration of Professor Calvin Quate, January 1999.					
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	CA	<del>5,202,231</del>	<del>4/1993</del>	<del>Drmanac et al.</del>	<del>435</del>	<del>6</del>	
	OB	<del>5,474,796</del>	<del>12/1995</del>	<del>Brennan</del>	<del>427</del>	<del>2.13</del>	
	CC	<del>5,420,807</del>	<del>7/1995</del>	<del>Mateon et al.</del>	<del>422</del>	<del>131</del>	
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	OD	<del>89/11548</del>	<del>11/1989</del>	<del>WO</del>			
	OE	<del>93/22480</del>	<del>11/1993</del>	<del>WO</del>			
	OF	<del>0 386 220</del>	<del>0/1990</del>	<del>FR</del>			
	OG	<del>0 261 927</del>	<del>9/1986</del>	<del>EP</del>			
	CH	<del>0 130 739</del>	<del>1/1985</del>	<del>EP</del>			
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
JSB	CI	Declaration of Dr. Glenn Mc Gall, January 1999.					
JSB	CJ	Declaration of Edwin Mellor Southern, July 2001.					
JSB	CK	Bird & Bird, "Claimant's Notice of Experiments", In the United Kingdom Litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pp. 1-12, July 31, 2000, London, United Kingdom.					
JSB	CL	Declaration of Marvin Stodolsky, October 1996.					
	CM	M. S. Urdea et al., "A novel method for the rapid detection of specific nucleotide sequences in crude biological samples without blotting or radioactivity," application to the analysis of hepatitis B virus in human serum", Gene, Vol. 61, 1987, pp. 253-264.					
	CN	C. G. Miyada et al., "Oligonucleotide Hybridization Techniques" Methods in Enzymology, Vol. 154, No. 6, 1987, pp. 94-107.					
EXAMINER				/John S. Brusca/			
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## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	DA	4,591,570	5/1986	Chang	436	518	
	DB						
	DC						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	DD	0 228 075	7/1987	EP			
	DE	84/03151	8/1984	WO			
	DF	0 194 132	9/1986	EP			
	DG	0 063 810	11/1982	EP			
	DH	0 130 523	1/1985	EP			

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	DI	E. Calva et al., "Analysis of the in vitro Synthesis of 5'- <sup>32</sup> P-labeled Transcripts from Coliphage λ by Gel Electrophoresis, RNA-DNA Hybridization, and RNase T1 Digestion", The Journal of Biological Chemistry, Vol. 255, No. 22, 1980, pp. 11011-11016.
	DJ	A. R. Dunn et al., "A Novel Method to Map Transcripts: Evidence for Homology between an Adenovirus mRNA and Discrete Multiple Regions of the Viral Genome", Cell, Vol. 12, September 1977, pp. 23-36.
	DK	G. Wengler et al., "A Study of Nucleotide Sequence Homology Between the Nucleic Acids of Different Alphaviruses", Virology, Vol. 78, No. 1, 1977, pp. 124-134.
	DL	J. M. Coffin et al., "Structure of the Genome of Moloney Murine Leukemia Virus: A Terminally Redundant Sequence" Cell, Vol. 13, No. 4, April 1978, pp. 761-773.
	DM	A. Palva et al., "Laboratory Methods, Quantification of α-Amylase mRNA in <i>Bacillus subtilis</i> by Nucleic Acid Sandwich with Hybridization", DNA, Vol. 7, No. 2, 1988, pp. 135-142.
	DN	R. Drmanac et al., "Sequencing of Megabase Plus DNA by Hybridization: Theory of the Method", abstract presented at Cold Spring Harbor Symposium on Gene Mapping and Sequencing, April 27-May 1, 1988, Cold Spring Harbor, NY.

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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	EA						
	EB						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	<del>EG</del>	<del>0 142 200</del>	<del>5/1985</del>	<del>EP</del>			
	<del>ED</del>	<del>86/06487</del>	<del>11/1986</del>	<del>WO</del>			
	<del>EE</del>	<del>84/03564</del>	<del>0/1984</del>	<del>WO</del>			
	<del>EF</del>	<del>00/00991</del>	<del>2/1980</del>	<del>WO</del>			
	<del>EG</del>	<del>02/10002</del>	<del>6/1992</del>	<del>WO</del>			
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
	<del>EH</del>	<del>R. Drmanac et al., "Sequencing by Hybridization, Theory of the Method", poster presented at Cold Spring Harbor Symposium on Gene Mapping and Sequencing, April 27-May 1, 1988, Cold Spring Harbor, NY.</del>					
JSB	EI	I. Labat, "Subfragments as an informative characteristic of the DNA molecule - computer simulation", Search Report, Labat Thesis, (and English translation), 1988.					
	<del>EJ</del>	<del>R. Frank et al., "Simultaneous Synthesis and Biological Applications of DNA Fragments: An Efficient and Complete Methodology", Methods in Enzymology, Vol. 154, No. 13, 1987, pp. 221-251.</del>					
	<del>EK</del>	<del>R. Frank et al., "A new general approach for the simultaneous chemical synthesis of large number of oligonucleotides: segmental solid supports", Nucleic Acids Research, Vol. 11, No. 13, 1983, pp. 4365-4377.</del>					
	<del>EL</del>	<del>A. R. Brautigam et al., "Rapid Typing of Herpes Simplex Virus Isolates by Deoxyribonucleic Acid: Deoxyribonucleic Acid Hybridization", Journal of Clinical Microbiology, Vol. 12, No. 2, August 1980, pp. 226-234.</del>					
	<del>EM</del>	<del>R. K. Saiki et al., "Analysis of Enzymatically Amplified <math>\beta</math>-globin and HLA-DQ<math>\alpha</math> DNA with Allele-Specific Oligonucleotide Probes", Nature, Vol. 324, November 1986, pp. 463-466.</del>					
EXAMINER      /John S. Brusca/				DATE CONSIDERED      10/22/2006			

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	FA						
	FB						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
	FC	0 305 929	3/1989	EP				
	FD	0 304 202	2/1989	EP				
	FE							
	FF							
	FG							

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	FH	A. Rosenthal et al., "Solid-phase methods for sequencing of nucleic acids I. Simultaneous sequencing of different oligodeoxyribonucleotides using a new, mechanically stable anion-exchange paper", Nucleic Acid Research, Vol. 13, No. 4, November 4, 1985, pp. 1173-1184.
	FI	B. Lewin, Ed., "Genes", Third Edition, 1987, pp. 360-362, John Wiley & Sons, NY, NY.
	FJ	R. B. Wallace et al., "Hybridization of Synthetic Oligodeoxyribonucleotides to O <sub>x</sub> 174 DNA: The Effect of Single Base Pair Mismatch", Nucleic Acids Research, Vol. 6, No. 11, 1979, pp. 3543-3557.
	FK	G. Beltz et al., "Isolation of Multigene Families and Determination of Homologies by Filter Hybridization Methods", Methods in Enzymology, Vol. 100, No. 19, 1983, pp. 266-285.
	FL	Doklady Biochemistry, Proceedings of the Academy of Sciences of the USSR, Biochemistry Section, Russian Original, Vol. 303, No. 1-6, November-December 1988, pp. 355-452 and Translation from Russian, Consultants Bureau, New York, Plenum Publishing Corporation, 1989, pp. 436-438.
	FM	F. C. Kafatos et al., "Determination of Nucleic Acid Sequence Homologies and Relative Concentrations by a dot Hybridization Procedure", Nucleic Acids Research, Vol. 7, No. 6, 1979, pp. 1541-1552.

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	GB						
	GC						

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	GD							
	GE							
	GF							
	GG							
	GH							

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	GI	R. J. Lipshutz et al., "Using Oligonucleotide Probe Arrays to Access Genetic Diversity", BioTechniques, Vol. 19, No. 3, 1995, pp. 442-447.
	GJ	T. R. Gingeras et al., "Hybridization Properties of Immobilized Nucleic Acid", Nucleic Acids Research, Vol. 15, No. 13, 1987, pp. 5373-5390.
	GK	P.T. Gilham, "The Synthesis of Polynucleotide-Celluloses and Their use in the Fractionation of Polynucleotides", J. Am. Chem. Soc., Vol. 86, November 20, 1964, pp. 4982-4985.
	GL	H. M. Geysen et al., "Strategies for Epitope Analysis using Peptide Synthesis", Journal of Immunological Methods, Vol. 102, 1987, pp. 259-274.
	GM	G. M. Church et al., "Genomic Sequencing", Proc. Natl. Acad. Sci., Vol. 81(7), April 1984, pp. 1991-1995.
	GN	V. J. Kidd et al., " $\alpha_1$ -Antitrypsin Deficiency Detection by Direct Analysis of the Mutation in the Gene", Nature, Vol. 304, July 1983, pp. 230-234.
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	HA						
	HB						
	HC						
	HD						

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	HE						
	HF						

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	HG	P. Masinkowski et al., "Cloning f cDNA Sequences of Hormone-regulated Gene from the MCF-7 Human Breast Cancer Cell Line", Nucleic Acids Research, Vol. 10, No. 24, 1982, pp. 7895-7903.
	HH	G. K. Sim et al., "Use of a cDNA Library for Studies on Evolution and Development Expression of the Chorion Multigene Families", Cell, Vol. 18, No. 4, December 1979, pp. 1303-1316.
	HI	Margaret L. M. Anderson et al., "Quantitative Filter Hybridisation", Nucleic Acid Hybridisation, A Practical Approach, 1985, pp. 73-111, IRL Press, Washington, D.C.
	HJ	W. Bains et al., "A Novel Method for Nucleic Acid Sequence Determination", J. Theor. Biol., Vol. 135, 1988, pp. 303-307.
	HK	U. B. Voss et al., "The Immobilization of Oligonucleotides and Their Hybridization Properties", Biochemical Society Transactions, Vol. 16, 1988, pp. 216-217.
	HL	Ghosh et al., "Covalent Attachment of oligonucleotides to Solid Supports", Nucleic Acids Research, Vol. 15, No. 13, 1987, pp. 5353-5372.
	HM	Federation Proceedings, Vol. 43, No. 7, May 4, 1984, Abstract 3669.
	HN	T. Maniatis et al., "Molecular Cloning", A Laboratory Manual, Cold Spring Harbor Laboratory, 1982, p. 282, Cold Spring Harbor, NY.

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	IB						

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	IC	C. R. Cantor et al. "Report on the Sequencing by Hybridization Workshop" Genomics Vol. 13, 1992, pp. 1378-1383.
	ID	T. I. Bugawan et al. "Rapid HLA-DLB Typing Using Enzymatically Amplified DNA and Nonradioactive Sequencing-Specific Oligonucleotide Probes", Immunogenetics, Vol. 32, 1990, pp. 231-241.
JSB	IE	Global Technology Group, Flier for PA Consulting Group, 1988.
	IF	Stephen P. A. Fodor et al. "Light-Directed Spatially Addressable Parallel Chemical Synthesis", Science, Vol. 251, February 15, 1991, pp. 767-773.
	IG	U. Maskos et al., "A Study of Oligonucleotide Reassociation using Large Arrays of Oligonucleotides Synthesised on a Glass Support", Nucleic Acids Research, Vol. 21, No. 20, 1992, pp. 4663-4669.
	IH	U. Maskos et al., "Parallel Analysis of Oligodeoxyribonucleotide (Oligonucleotide) Interactions. I. Analysis of Factors Influencing Oligonucleotide Duplex Formation", Nucleic Acids Research, vol. 20, No. 7, 1992, pp. 1675-1678.
	II	J. C. Williams et al., "Studies of Oligonucleotide Interactions by Hybridisation to Arrays: The Influence of Dangling Ends on Duplex Yield", Nucleic Acids Research, Vol. 22, No. 8, 1994, pp. 1365-1367.
	IJ	F. M. Southern et al. "Arrays of Complementary Oligonucleotides for Analysing the Hybridisation Behaviour of Nucleic Acids, Nucleic Acids Research, Vol. 22, No. 8, 1994, pp. 1368-1373.
	IK	M. S. Shchepinov et al. "Steric Factors Influencing Hybridisation of Nucleic Acids to Oligonucleotide Arrays" Nucleic Acids Research, Vol. 25, No. 6, 1997, pp. 1155-1161.
	IL	S. C. Case-Green et al., "Studies on the Base Pairing Properties of Deoxyinosine by Solid Phase Hybridisation to Oligonucleotides", Nucleic Acids Research, Vol. 22, No. 2, 1994, pp. 131-136.

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JB					

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

JC	U. Maskos et al., "A Novel Method for the Parallel Analysis of Multiple Mutations in Multiple Samples", Nucleic Acids Research, Vol. 21, No. 9, 1993, 2269-2270.
JD	M. J. Kozal et al., "Extensive Polymorphisms Observed in HIV-1 Clade B Protease Gene Using High-Density Oligonucleotide Arrays", Nature Medicine, Vol. 2, No. 7, July 1996, pp. 753-759.
JE	M. Chee et al., "Accessing Genetic Information with High-Density DNA Arrays", Science, Vol. 274, October 1996, pp. 610-614.
JF	Kirk -Othmer, Encyclopedia of Chemical Technology, Third Edition, Vol. 3, pp. 487-491, 1978.
JG	Kirk-Othmer, Encyclopedia of Chemical Technology, Third Edition, Vol. 15, p. 224, 1981.
JH	R. Polsky-Cynkin et al., "Use of DNA Immobilized on Plastic and Agarose Supports to Detect DNA by Sandwich Hybridization, Clinical Chemistry, Vol. 31, No. 9, 1985, pp. 1438-1443.
JI	J. Welsh et al., "Protein-DNA Cross-Linking" TIBS, Vol. 9, December 1984, pp. 505-508.
JJ	G. H. Parsons, Jr., "Antibody-Coated Plastic Tubes in Radioimmunoassay", Meth., Enzymol., Vol. 73, 1973, pp. 224-238.
JK	Southern et al., Genomics, "Analyzing and Comprising Nucleic Acid Sequences by Hybridization to Arrays of Oligonucleotides", Vol. 13, 1992, pp. 1008-1017.
JL	

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	KA	5,486,452	1/1996	Gordon et al.	435	5	
	KB	4,994,373	2/1991	Stavrianopoulos et al.	435	6	
	KC	4,968,602	11/1990	Dattagupta	435	6	
	KD	4,961,915	10/1990	Martin	422	116	
	KE	4,849,330	7/1989	Humphries et al.	435	4	
	KF	4,451,433	5/1984	Yamashita et al.	422	63	
	KG	5,202,231	4/1993	Drmanac	435	6	
	KH	4,299,916	11/1981	Litman et al.	435	6	

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	KI	84/01031	3/1984	WO			

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	KJ	Webster's Third New International Dictionary, G & C Merriam Company, Publishers, Springfield, Massachusetts, USA, 1966, pages with the definitions of the terms "solid" and "sheet".
	KK	The American Heritage Dictionary, Second College Edition, Houghton Mifflin Company, Boston, Massachusetts, 1991, page with the definition of the term "smooth".
	KL	The Dictionary of Ceramic Science and Engineering, Plenum Press, New York, NY, 1984 - definition of "smooth glass".
	KM	Academic Press Dictionary of Science and Technology, San Diego, CA, 1992 - definition of "smooth".
	KN	S. F. Wolf et al., "Rapid Hybridization Kinetics of DNA Attached to Submicron Latex Particles", Nucleic Acids Research, Vol. 15, No. 7, 1987, pp. 2911-2926.
	KO	J. N. Kremsky et al., "Immobilization of DNA via Oligonucleotides Containing an Aldehyde or Carboxylic Acid Group at the 5' Terminus", Nucleic Acids Research, Vol. 15, No. 7, 1987, pp. 2891-2909.

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## INFORMATION DISCLOSURE STATEMENT

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Date Submitted to PTO: December 8, 2005

ATTY DOCKET NO.  
99\_1175SERIAL NO.  
09/422,803APPLICANT  
Edwin SOUTHERNFILING DATE  
October 22, 1999GROUP  
1631

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	LA						
	LB						
	LC						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
	LD							
	LE							
	LF							
	LG							
	LH							

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	LI	Letter to Simon Kiddle from Dr. Renzo Malvano, November 2002.
JSB	LJ	Letter to Simon Kiddle from Dr. Gian Carlo Zucchelli, November 2002.
JSB	LK	Declaration of Professor Alberto Albertini, November 2002.
JSB	LL	Declaration of Dr. Gianni Messeri, November 2002.
JSB	LM	Second Statement of Professor Roger Ekins, January 2003.

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	MA						
	MB						

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	MC						
	MD						

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	ME	Slides used in Professor Ekins' lecture at the International Biotech RIA '88 Conference in Florence on 11 <sup>th</sup> April 1988.					
	MF	<del>Lev. D. Gelb and K.E. Gubbins, "Characterization of Porous Glasses by Adsorption: Models, Simulations and Data Inversion", Fundamentals of Adsorption, Vol. 6, 1999, pp. 551-556.</del>					
	MG	<del>Pharmacia Catalogue 1998, page describing Hybond-NX.</del>					
JSB	MH	Translation of EP A 0197266 filed for UK national validation, 1991.					
JSB	MI	E. M. Southern, Award Molecular Bioanalytics 2004, Biography.					
JSB	MJ	Award Molecular Bioanalytics 2004.					
	MK	<del>Bio Array News, Vol. 1, No. 1, June 1, 2001, pp. 1-10.</del>					
	ML	<del>News Events, Journal of Biomolecular Techniques, Vol. 15, 2004, pp. 152-153</del>					


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	<del>02</del>	<del>4,009,405</del>	<del>0/1987</del>	<del>Frank et al.</del>			
	<del>06</del>	<del>6,340,065</del>	<del>0/1994</del>	<del>Battagupta et al.</del>			
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	<del>01</del>	<del>1 320 700</del>	<del>9/1970</del>	<del>GB</del>			
	<del>00</del>	<del>0 119 573 A1</del>	<del>9/1994</del>	<del>EP</del>			
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
JSB	1	David Kitchin QC and Richard Meade, Affymetrix' Opening Submissions, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, HC 1999 04645, pages 1-81, March 22, 2001, London, United Kingdom.					
JSB	3	Bird & Bird, Notice to Admit Facts, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 04645, pages 1-5, January 28, 2000, London, United Kingdom.					
JSB	4	Richard Meade, Bristows, Second Defendant's Response to the Claimant's Notice to Admit Facts, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 04645, pages 1-3, June 22, 2000, London, United Kingdom.					
JSB	5	Bristows, Particulars of Independently Valid Claims, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 04645, pages 1-2, June 22, 2000, London, United Kingdom.					
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JSB	6	Richard Meade, Bristows, Statement of Reasons, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 04645, pages 1-4, June 30, 2000, London, United Kingdom.					
JSB	7	Bird & Bird, Statement of Opposition, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 04645, pages 1-5, June 30, 2000, London, United Kingdom.					
JSB	8	Bird & Bird, Re-Re-Re-Amended Particulars of Objections, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 04645, pages 1-5, March 13, 2001, London, United Kingdom.					
JSB	9	Alastair Wilson QC, Amended Particulars of Claim, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pages 1-11, November 26, 1999, Oxford, United Kingdom.					
JSB	10	Bird & Bird, Amended Particulars of Infringement, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pages 12-14, September 1, 2000, London, United Kingdom.					
JSB	11	Richard Meade, Defence and Counterclaim of the First and Second Defendants, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pages 1-6, August 6, 1999, London, United Kingdom.					
JSB	12	Richard Meade, Amended Particulars of Objections of the First and Second Defendants, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pages 21-37, January 15, 2001, London, United Kingdom.					
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JSB	18	Dr. David R. Bentley, Annex 3 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-2, January 30, 2001, London, United Kingdom.					
JSB	19	Dr. David R. Bentley, Annex 4 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-4, January 30, 2001, London, United Kingdom.					
JSB	20	Dr. David R. Bentley, Annex 5 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-12, January 30, 2001, London, United Kingdom.					
JSB	21	Dr. David R. Bentley, Annex 6 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-8, January 30, 2001, London, United Kingdom.					
JSB	22	Dr. David R. Bentley, Annex 7 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-2, January 30, 2001, London, United Kingdom.					
JSB	23	Dr. David R. Bentley, Annex 8 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-6, January 30, 2001, London, United Kingdom.					
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JSB	24	Dr. David R. Bentley, Annex 9 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-12, January 30, 2001, London, United Kingdom.						
JSB	25	Dr. David R. Bentley, Annex 10 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-14, January 30, 2001, London, United Kingdom.						
JSB	26	Dr. David R. Bentley, Annex 11 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-5, January 30, 2001, London, United Kingdom.						
JSB	27	Dr. David R. Bentley, Annex 12 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-6, January 30, 2001, London, United Kingdom.						
JSB	28	Dr. David R. Bentley, Annex 13 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-8, January 30, 2001, London, United Kingdom.						
JSB	29	Dr. David R. Bentley, Annex 14 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-8, January 30, 2001, London, United Kingdom.						
JSB	30	Dr. David R. Bentley, Annex 15 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-4, January 30, 2001, London, United Kingdom.						
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JSB	31	Dr. David R. Bentley, Annex 16 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-38, January 30, 2001, London, United Kingdom.					
JSB	32	Dr. David R. Bentley, Annex 17 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-4, January 30, 2001, London, United Kingdom.					
JSB	33	Dr. David R. Bentley, Annex 18 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-2, January 30, 2001, London, United Kingdom.					
JSB	34	Dr. David R. Bentley, Annex 19 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-4, January 30, 2001, London, United Kingdom.					
JSB	35	Prof. Wolfgang Pfeleiderer, Expert Report and Annex 1, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-40 and 1-2, January 19, 2001, Konstanz, Germany.					
JSB	36	Dr. David B. Wallace, Expert Report of David Bowen Wallace, P.E., PH.D., in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-55, January 18, 2001, London, United Kingdom.					
JSB	37	Dr. David B. Wallace, Annex 1 to Expert Report of David Bowen Wallace, P.E., PH.D., in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-25, January 18, 2001, London, United Kingdom.					
JSB	38	Dr. David B. Wallace, Annex 2 to Expert Report of David Bowen Wallace, P.E., PH.D., in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-24, January 18, 2001, London, United Kingdom.					
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JSB	39	Dr. Paul H. Silverman, Statement of Dr. Paul Hyman Silverman and Exhibit PS-1, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-2 and 1-8, November 22, 2000, Irvine, California.						
JSB	40	Prof. Edwin M. Southern, First Witness Statement of Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645, pages 1-10, May 1, 2000, Oxford, United Kingdom.						
JSB	41	Prof. Edwin M. Southern, Exhibit EMS-1 to First Witness Statement of Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645, pages 1-14, May 1, 2000, Oxford, United Kingdom.						
JSB	43	Prof. Edwin M. Southern, Exhibit EMS-2 to First Witness Statement of Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645, pages 1-41, May 1, 2000, Oxford, United Kingdom.						
JSB	44	Prof. Edwin M. Southern, Exhibit EMS-3 to First Witness Statement of Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645, pages 1-58, May 1, 2000, Oxford, United Kingdom.						
JSB	45	Prof. Edwin M. Southern, Fifth Witness Statement of Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645, pages 1-13, January 22, 2001, Oxford, United Kingdom.						
JSB	46	Prof. Edwin M. Southern, Annex 4 to Fifth Witness Statement of Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645, pages 1-7, January 22, 2001, Oxford, United Kingdom.						
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JSB	47	Peter Jay Coassin, Witness Statement of Peter Jay Coassin, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-4, January 22, 2001, Fullerton, California.					
JSB	48	Dr. Timothy S. Fell, Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-11, January 18, 2001, Oxford, United Kingdom.					
JSB	49	Dr. Timothy S. Fell, Annex 1 to Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-5, January 18, 2001, Oxford, United Kingdom.					
JSB	50	Dr. Timothy S. Fell, Annex 2 to Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-6, January 18, 2001, Oxford, United Kingdom.					
JSB	51	Dr. Timothy S. Fell, Annex 3 to Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-8, January 18, 2001, Oxford, United Kingdom.					
JSB	52	Dr. Timothy S. Fell, Annex 4 to Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-11, January 18, 2001, Oxford, United Kingdom.					
JSB	53	Dr. Timothy S. Fell, Annex 5 to Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-2, January 18, 2001, Oxford, United Kingdom.					
JSB	54	Dr. Timothy S. Fell, Annex 6 to Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-11, January 18, 2001, Oxford, United Kingdom.					
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JSB	55	Stewart L. Huxley, Witness Statement of Stewart Leonard Huxley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-2, January 8, 2001, Oxford, United Kingdom.					
JSB	56	Martin G. Johnson, Witness Statement of Martin George Johnson, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-7, January 19, 2001, Oxford, United Kingdom.					
<del>57</del>	<del>57</del>	<del>Ekins R., "Multi-analyte immunoassay", Journal of Pharmaceutical &amp; Biomedical Analysis, Vol. 7, No. 2, pp. 155-168, 1989.</del>					
<del>58</del>	<del>58</del>	<del>Kimura et al., "An Immobilized Enzyme Membrane Fabrication Method using an Ink Jet Nozzle", Biosensors, Vol. 4, pp. 41-52, 1988.</del>					
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<del>60</del>	<del>60</del>	<del>Monaco et al., "Human Genome Linking With Cosmids and Yeast Artificial Chromosomes", abstract from CSHS, p. 90, 1989.</del>					
JSB	63	Dr. Edwin Southern, Statutory Declaration of Dr. Edwin Southern, in the Opposition Proceedings against EP No. 0 619 321, pp. 1-17, Oct. 1999, Kidlington, United Kingdom.					
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<del>65</del>	<del>65</del>	<del>Lysov et al., "A New Method for Determining the DNA Nucleotide Sequence by Hybridization with Oligonucleotides", Doklady Biochemistry, Vol. 303, pp. 436-438, Nov-Dec 1988.</del>					
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Sheet 10 of 17		INFORMATION DISCLOSURE STATEMENT					
FORM PTO 1449 (modified)  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  LIST OF REFERENCES CITED BY APPLICANT(S) <i>(Use several sheets if necessary)</i>  Date Submitted to PTO: December 20, 2005		ATTY DOCKET NO. 99_1175		SERIAL NO. 09/422,803			
		APPLICANT Edwin Southern					
		FILING DATE October 22, 1999				GROUP 1631	
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JSB	66	Professor Edwin Southern, Witness Statement of Professor Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pp. 1-40, January 2000, Kidlington, United Kingdom.					
JSB	67	Bird and Bird, Notice of Opposition, in the Opposition Proceedings against EP No. 0 619 321 filed by Oxford Gene Technology, pp. 1-15, Oct. 1999, London, United Kingdom.					
JSB	68	Dr. Edwin Southern, Statutory Declaration of Dr. Edwin Southern, in the Opposition Proceedings against EP No. 0 619 321, pp. 1-17, Oct. 1999, Oxford, United Kingdom.					
JSB	69	Morris, Nichols, Arsht & Tunnell, Defendant's Motion for Leave to File a Second Amended Answer, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-16, April 2000, Wilmington, Delaware.					
JSB	70	Dale Davis, Expert Report of Dale Davis, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-37, August 2000, Wilmington, Delaware.					
JSB	71	Grant Morgan, Expert Report of Grant Morgan, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-15, August 2000, Atascadero, California.					
JSB	72	Dr. Elias Corey, Expert Report of Dr. Elias James Corey, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-10, August 2000, Wilmington, Delaware.					
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JSB	75	Dr. James Wetmur, Declaration of James G. Wetmur in Support of Affymetrix's Opposition to OGT's Motion for Summary Judgment of Validity, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, p. 1, September 2000, Palo Alto, California.
JSB	76	Dr. James Wetmur, Expert Rebuttal Report of Dr. James G. Wetmur, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-45, September 2000, Palo Alto, California.
JSB	77	Dr. Martin Adelman, Expert Report - Martin J. Adelman, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-16, August 2000, Washington, D.C.
JSB	78	Dr. Elias Corey, Declaration of Dr. Elias James Corey in Support of Affymetrix' Opposition to OGT's Motion for Summary Judgment of Validity, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, p. 1, September 2000, Cambridge, Massachusetts.
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87	Goldkorn, T. et al., "A simple and efficient enzymatic method for covalent attachment of DNA to cellulose; Application for hybridization-restriction analysis and for in vitro synthesis of DNA probes", Nucleic Acids Research, Vol. 14, No. 22, pp. 9171-9191, 1986.
88	Duncan, C. et al., "Affinity Chromatography of a Sequence-specific DNA Binding Protein Using Teflon-linked Oligonucleotides", Analytical Biochemistry, Vol. 169, pp. 104-108, 1988.
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JSB	100	Blank Rome LLP, OGT's Technology Tutorial, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-28, December 2003, Wilmington, Delaware.
JSB	101	Ashby & Geddes, Defendant Mergen, Ltd.'s Slide Presentation for the December 18, 2003 Tutorial, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-11, December 2003, Wilmington, Delaware.
JSB	102	Patton Boggs LLP, Defendant Clontech Laboratories Slide Presentation for the December 18, 2003 Tutorial, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-33, December 2003, Wilmington, Delaware.
JSB	103	Kirkland & Ellis LLP, Letter to Perkins Coie LLP enclosing OGT's Claim Terms, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-6, April 2004, Chicago, Illinois.

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JSB	104	Perkins Coie LLP, Mergen Ltd.'s Claim Terms and Proposed Construction, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-7, April 2004, Menlo Park, California.
JSB	105	Dr. Paul Purdue, Expert Report of Paul Edward Purdue Ph.D., in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-10, May 2004, New York, NY.
JSB	106	Dr. Paul Purdue, Expert Report of Paul Edward Purdue Ph.D., in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-13, June 2004, New York, NY.
JSB	107	Potter Anderson & Corroon LLP, Defendant Mergen Ltd.'s Third Set of Supplemental Responses to Oxford Gene Technology Ltd's First and Second Set of Interrogatories, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-45, June 2004, Wilmington, Delaware.
JSB	108	Blank Rome LLP, Oxford Gene Technology Ltd.'s Claim Construction Brief, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-186, July 2004, Wilmington, Delaware.
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JSB	110	Potter Anderson & Corroon LLP, Mergen Limited's Reply in Support of its Motion for Summary Judgment of Invalidity of Claim 1 of United States Patent NO. 6,054,270 Pursuant to 35 U.S.C. 112, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-9, August 2004, Wilmington, Delaware.
JSB	111	Potter Anderson & Corroon LLP, Declaration of Norbert Stahl in Support of Mergen Limited's Reply Brief in Support of its Motion for Summary Judgment of Invalidity of Claim 1 of United States Patent NO. 6,054,270 Pursuant to 35 U.S.C. 112, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-58, August 2004, Wilmington, Delaware.

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JSB	112	Blank Rome LLP, Oxford Gene Technology's Claim Construction Brief In Response to Mergen's Claim Construction Briefing, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-118, August 2004, Wilmington, Delaware.																	
JSB	113	Order and Memorandum Opinion of the U.S. District Court on Claim Construction, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-20, September 2004, Wilmington, Delaware.																	
JSB	114	Order and Memorandum Opinion of the U.S. District Court on Expert Reports, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-23, November 2004, Wilmington, Delaware.																	
JSB	115	Order and Memorandum Opinion of the U.S. District Court on Summary Judgment, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-39, November 2004, Wilmington, Delaware.																	
JSB	116	Potter Anderson & Corroon LLP, Mergen Limited's Motion for Reconsideration of the Court's Order Granting in Part Oxford Gene Technology Limited's Motion for Partial Summary Judgment of Infringement, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-16, December 2004, Wilmington, Delaware.																	
JSB	117	Blank Rome LLP, Oxford Gene Technology Limited's Opposition to Mergen Limited's Motion for Reconsideration, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-28, December 2004, Wilmington, Delaware.																	
JSB	118	Potter Anderson & Corroon LLP, Mergen Limited's Reply in Support of its Motion for Reconsideration of the Court's Order, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-8, December 2004, Wilmington, Delaware.																	
JSB	119	Blank Rome LLP, Letter to Judge Jordan re claim terms, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-2, January 2005, Wilmington, Delaware.																	
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JSB	120	Order of the U.S. District Court on Mergen's Motion for Reconsideration, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-5, January 2005, Wilmington, Delaware.
	<del>121</del>	<del>Khrapko, K. et al., "An oligonucleotide hybridization approach to DNA sequencing", FEBS, Vol. 256, Nos. 1-2, pp. 118-122, October 1989.</del>
JSB	122	Potter Anderson & Corroon LLP, Telechem International, Inc.'s Responses to Oxford Gene Technology Ltd's First Set of Interrogatories, in the United States litigation between Oxford Gene Technology (OGT) v. Telechem International et al., U.S. District Court for the District of Delaware, CA No. 04-013, pp. 1-22, October 2004, Wilmington, Delaware.
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JSB	126	Brinks Hofer Gilson & Lione, Motorola's Response Markman Brief, Exhibits A-Z, the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-195, January 2004, Chicago, Illinois.
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JSB	128	Brinks Hofer Gilson & Lione, Motorola's Response Markman Brief, Exhibits 1-3, the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-23, January 2004, Chicago, Illinois.

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JSB	130	Michael Best & Friedrich LLP, OGT's Exhibit A Claim Chart, in the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-10, March 2004, Chicago, Illinois.
JSB	131	Michael Best & Friedrich LLP, OGT's Exhibit 1-9, in the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-139, March 2004, Chicago, Illinois.
JSB	132	Michael Best & Friedrich LLP, OGT's Exhibit H-R, in the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-222, March 2004, Chicago, Illinois.
JSB	133	Civil Docket for CA No. 99-0348, Oxford Gene Technology (OGT) v. Affymetrix, Inc., U.S. District Court for Delaware, pp. 1-36, April 2005, Wilmington, Delaware.
JSB	134	Civil Docket for CA No. 02-1695, Oxford Gene Technology (OGT) v. Mergen, Ltd., U.S. District Court for Delaware, pp. 1-31, April 2005, Wilmington, Delaware.
JSB	135	Civil Docket for CA No. 04-0013, Oxford Gene Technology (OGT) v. Telechem International, Inc., U.S. District Court for Delaware, pp. 1-7, April 2005, Wilmington, Delaware.
JSB	136	Civil Docket for CA No. 02-1687, Oxford Gene Technology (OGT) v. Nanogen, Inc., U.S. District Court for Delaware, pp. 1-5, April 2005, Wilmington, Delaware.
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Sheet 1 of 16

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

LIST OF REFERENCES CITED BY APPLICANT(S)  
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Date Submitted to PTO: October 22, 1999

ATTY DOCKET NO.  
263/PPIR7644 US-DIV-2

SERIAL NO.  
NEW

APPLICANT  
Edwin SOUTHERN

FILING DATE  
October 22, 1999

GROUP

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
JSB	AA	4,563,419	1/1986	Ranki et al.	435	6	
JSB	AB	4,704,353	11/1987	Humphries et al.	435	4	
JSB	AC	4,728,502	3/1988	Hamill	422	116	
JSB	AD	4,327,073	4/1982	Huang	424	1	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
JSB	AE	2,156,074	10/1985	United Kingdom, Palva et al.			
JSB	AF	0,237,362	9/1987	EP, Erlich et al.			
	AG						
JSB	AH	WO93/22480	11/1993	PCT, Southern			
JSB	AI	0235726A3	9/1987	Europe, Dattagupta et al.			
JSB	AJ	WO85/01051	3/1985	PCT, Arnold			
JSB	AK	0281927A2	9/1988	Europe, Dattagupta et al.			
JSB	AL	0130739A2	1/1985	Europe, Urdea et al.			
JSB	AM	0171150B1	2/1986	Europe, Herzberg et al.			
JSB	AN	WO86/06487	11/1986	PCT, Geysen			

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AO	G. Beltz et al., <u>Methods in Enzymology</u> , 100, 266-285 (1983).
JSB	AP	E.M. Southern et al., <u>Genomics</u> , 13, 1008-1017 (1992).
JSB	AQ	Y.P. Lysov et al., <u>Dokl. Akad.</u> , 303, 1508-1511 (1988) (with English translation).

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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
JSB	BA	4,216,245	8/1980	Johnson	427	2	
JSB	BB	4,395,486	7/1983	Wilson et al.	435	6	
JSB	BC	4,656,127	4/87	Mundy	435	6	
JSB	BD	5,164,319	11/92	Hafeman et al.	435	291	
JSB	BE	5,002,867	3/91	Macevicz	435	6	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
JSB	BF	WO84/03564	9/1984	PCT, Geysen				
JSB	BG	WO86/00991	2/1986	PCT, Geysen				
	BH							
JSB	BI	0228075A2	7/1987	Europe, Dattagupta et al.				

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	BJ	F. Kafatos et al., <u>Nucleic Acids Research</u> , 7(6), 1541-1552 (1979).						
JSB	BK	H.M. Geysen et al., <u>J. Immun. Meth.</u> , 102, 259-274 (1987).						
JSB	BL	V.J. Kidd et al., <u>Nature</u> , 304, 230-234 (1983).						
JSB	BM	P. Masinkowski et al., <u>Nucleic Acids Research</u> , 10(24), 7895-7903 (1982).						
JSB	BN	G.K. Sim et al., <u>Cell</u> , 18, 1303-1316 (1979).						
JSB	BO	W. Bains et al., <u>J. Theor. Biol.</u> , 135, 303-307 (1988).						

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Sheet <b>3 of 16</b>									
FORM PTO 1449 (modified)  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)  Date Submitted to PTO: <u>October 22, 1999</u>		ATTY DOCKET NO. <b>263/PPIR7644 US-DIV-2</b>		SERIAL NO. <b>NEW</b>					
		APPLICANT <b>Edwin SOUTHERN</b>							
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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE		
JSB	CA	5,202,231	4/93	Drmanac et al.	435	6			
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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO		
JSB	CC	WO84/03151	8/1984	PCT, Chang					
JSB	CD	O194132A2	9/1986	Europe, Leaback					
JSB	CE	O063810A1	11/1982	Europe, Gordon et al.					
JSB	CF	O130523A3	1/1985	Europe, Dattagupta et al.					
JSB	CG	O142299A2	5/1985	Europe, Ashihara et al.					
JSB	CH	O268237A2	5/1988	Europe, Hayes et al.					
JSB	CI	WO88/01302	2/1988	PCT, Gingeras et al.					
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)									
JSB	CJ	Gingeres et al., Nucleic Acids Research, Vol. 15, No. 13, pp. 5373-5390 (1987).							
JSB	CK	U.B. Voss et al., Biochemical Society Transactions, 624th Meeting, Dublin, 216-217 (1987).							
JSB	CL	R.K. Saiki et al., Nature, 324, 163-166 (1986).							
JSB	CM	Wood et al., Proc. Natl. Acad. Sci. (USA), Vol. 82, pp. 1585-1588, 1985.							
JSB	CN	L.J. Arnold et al., Federation Proceedings, 43(7), Abstract No. 3669 (1984).							
JSB	CO	T. Maniatis et al., Molecular Cloning, A Laboratory Manual, Cold Spring Harbor Laboratory, p. 282 (1982).							
EXAMINER				/John S. Brusca/		DATE CONSIDERED			10/22/2006

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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
JSB	DC	WO86/03782	7/1986	PCT, Malcolm et al.				
JSB	DD	O238332A2	9/1987	Europe, Goodson et al.				

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	DE	C.R. Cantor et al., <u>Genomics</u> , 13 1378-1383 (1992).						
JSB	DF	G.M. Church et al., <u>Proc. Natl. Acad. Sci. USA</u> , 81 1991-1995 (1984).						
JSB	DG	R. Frank, <u>Methods in Enzymology</u> , 154, 221-251 (1987).						
JSB	DH	R. Frank, <u>Nucleic Acids Research</u> , 11(13), 4365-4377 (1983).						
JSB	DI	A.R. Brautigam et al., <u>J. Clin. Microbiol.</u> , 12(2), 226-234 (1980).						
JSB	DJ	A. Rosenthal et al., <u>Nucleic Acids Research</u> , 13(4), 1173-1184 (1985).						
JSB	DK	B. Lewin, <u>Genes</u> , 3rd Ed., John Wiley & Sons, pp. 360-362 (1983).						
JSB	DL	M. Anderson et al., <u>Nucleic Acid Hybridisation, A Practical Approach</u> , B.D Hames et al., eds., IRL Press, pp. 73-111 (1985).						
JSB	DM	M.S. Urdea et al., <u>Gene</u> , 61, 253-264 (1987).						

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	ED						
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## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	EF	C.G. Miyada et al., <u>Methods in Enzymology</u> , <u>154</u> , 94-107 (1987).
JSB	EG	E. Calva et al., <u>J. Biol. Chem.</u> , <u>255</u> (22), 11011-11016 (1980).
JSB	EH	A.R. Dunn et al., <u>Cell</u> , <u>12</u> , 23-36 (1977).
JSB	EI	G. Wengler et al., <u>Virology</u> , <u>78</u> , 124-134 (1977).
JSB	EJ	J.M. Coffin et al., <u>Cell</u> , <u>13</u> 761-773 (1978).
JSB	EK	A. Palva et al., <u>DNA</u> , <u>7</u> (2), 135-142 (1988).
JSB	EL	R. Drmanac et al., "Sequencing of Megabase Plus DNA by Hybridization: Theory of the Method", University of Belgrade (former Yugoslavia) (1988).
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FORM PTO-1449  
(REV. 7-43)U.S. DEPARTMENT OF COMMERCE  
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							YES	NO
JSB	AL	88/01302	2-25-88	WO, Gingeras et al.				
JSB	AM	0,392,546	10-17-90	EP-A2, Dramanac et al.				
JSB	AN	570/87	unknown	Yugoslavia			XXX	
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	AP							

## OTHER ART

(Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AR	Tenover, <u>Clinical Microbiology Reviews</u> , 1(1), 82-101 (January 1988)
JSB	AS	Ogle et al., <u>The Journal of Infectious Diseases</u> , 155(1), 119-126 (January 1987)
JSB	AT	Moseley et al., <u>Advances in Research on Cholera and Related Diarrheas</u> , 207-216 (1983)

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## OTHER ART

(Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AR	Frankel et al., <u>The Journal of Infectious Diseases</u> , <u>161</u> 1252-1256 (1990)
JSB	AS	Ezaki, <u>Asian Med. J.</u> , <u>34</u> (8), 454-459 (1991)
JSB	AT	Ezaki et al., <u>Cancer</u> , <u>61</u> , 106-109 (1988)

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## OTHER ART

(Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AR		Horn et al., <u>Concise Communications</u> , 1250-1252 (date unknown)
JSB	AS		Robins-Browne et al., <u>Journal of Clinical Microbiology</u> , 27(4), 644-650 (April 1989)
JSB	AT		Ezaki et al., <u>International Journal of Systematic Bacteriology</u> , 36(2), 345-347 (1986)

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## OTHER ART

(Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AR		McDonough et al., <u>Journal of Clinical Microbiology</u> , <u>26(12)</u> , 2515-2519 (1988)
JSB	AS		Bunemann et al. <u>Nucleic Acids Research</u> , <u>10(22)</u> , 7163-7180 (1982)
JSB	AT		Forster et al. <u>Nucleic Acids Research</u> , <u>13(3)</u> , 745-761 (1985)

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Edwin SOUTHERN

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## OTHER ART

(Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AR	Koomey et al., <u>Infection and Immunity</u> , 43(1), 101-107 (January 1984)
JSB	AS	Syvanen, <u>Medical Biology</u> , 64, 313-324 (1986) (Review Article)
JSB	AT	Nagata et al., <u>FEBS Letters</u> , 183(2), 379-382 (April 1985)

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JSB	AR	Ezaki et al., <u>FEMS Microbiology Letters</u> , 67, 127-130 (1990)
JSB	AS	Kilpper-Balz et al., <u>System. Appl. Microbiol.</u> , 5, 494-500 (1984)
JSB	AT	Habermehl, Ed., <u>Rapid Methods and Automation in Microbiology and Immunology</u> , 30-33 (198

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## OTHER ART

(Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AR	Schachter, <u>Diagn. Microbiol. Infect. Dis.</u> , 4, 185-189 (1986)
JSB	AS	Starnbach, <u>Journal of Clinical Microbiology</u> , 27(6), 1257-1261 (June 1989)
JSB	AT	Ezaki et al., <u>Microbiol. Immunol.</u> , 32(2), 141-150 (1988)

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FORM PTO-1449  
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(Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AR	Ghosh et al.
		Farrow et al., <u>System. Appl. Microbiol.</u> , <u>5</u> , 483-493 (1984)
JSB	AS	Dean et al., <u>Journal of Clinical Microbiology</u> , <u>27(5)</u> , 1062-1067 (May 1989)
JSE	AT	<u>Nucleic Acids Research</u> , <u>15(13)</u> , 5353-5372 (1987)

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(Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AR	Gingeras et al. Nucleic Acids Research, 15(13), 5373-5390 (1987)
JSB	AS	Church et al., Science, 240, 185-188 (April 8, 1988)
JSB	AT	Bunemann Nucleic Acids Research, 10(22), 7181-7196 (1982)

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**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
AL	1284931	6-13-91	Canada, Erlich et al.			
AM	89/11548	11-30-89	WO, Saiki et al.			
AN	237362	9-16-87	EP-A, Erlich et al.			
AO						
AP						

**OTHER ART**

(Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AQ	Gingeras, T.R., et al., "Nucleic Acid Research", 15(13) 5373-5390 (1987)
	AR	Wood et al., Proc. Natl. Acad. Sci. (USA), Vol. 82, pp. 1585-1588, 1985.
JSB	AS	Brigati et al., Virology, Vol. 126, pp. 32-50, 1983.
	AT	Fodor et al., Science, Vol. 251, pp. 767-773, 1991.
JSB	AU	Saiki et al., Nature, Vol. 324, pp. 163-166, 1986.

EXAMINER

/John S. Brusca/

DATE CONSIDERED

10/22/2006

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ATTY. DOCKET NO.

SERIAL NO.

263/PPIR7644 US-DIV-2

NEW

APPLICANT

Edwin SOUTHERN

FILING DATE

October 22, 1999

GROUP

LIST OF ART CITED BY APPLICANT  
(Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AL							
	AM							
	AN							
	AO							
	AP							

## OTHER ART

(Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AR	Ezaki et al., <u>J. Gen. Appl. Microbiol.</u> , <u>34</u> , 191-199 (1988)
JSB	AS	Ezaki et al., <u>Journal of Clinical Microbiology</u> , <u>26(9)</u> , 1708-1713 (September 1988)
JSB	AT	Farrow et al., <u>System. Appl. Microbiol.</u> , <u>5</u> , 467-482 (1984)

EXAMINER

/John S. Brusca/

DATE CONSIDERED

10/22/2006

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 1 of 1		<b>INFORMATION DISCLOSURE STATEMENT</b>					
FORM PTO 1449 (modified)		ATTY DOCKET NO. 99_1175				SERIAL NO. 09/422,803	
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		APPLICANT Edwin Southern					
LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)		FILING DATE October 22, 1999				GROUP 1631	
Date Submitted to PTO: August 10, 2006							
<b>U.S. PATENT DOCUMENTS</b>							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
JSB	AA	4,205,952	6/1980	Cais			
JSB	AB	4,145,406	5/1979	Schick et al.			
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JSB	AH	4,719,176	1/1988	Klotz			
	AI						
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
JSB	AJ	0 197 266	10/1986	EP			English translation of Granted EP Patent
	AK						
	AL						
	AM						
	AN						
<b>OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
JSB	AO	Bioarray News, Vol. 1, No. 1, pp. 1, 8 and 9, June 1, 2001					
JSB	AP	Roche Award Molecular Bioanalytics, 2004 to Professor Edwin Southern et al., pp. 1-4, 2004.					
JSB	AQ	Wodicka et al., "Genome-wide expression monitoring in <i>Saccharomyces cerevisiae</i> ", Nature Biotechnology, Vol. 15, pp. 1359-1367, 1997.					
EXAMINER /John S. Brusca/				DATE CONSIDERED 10/22/2006			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.